

FISCAL NOTE

SB 234

February 5, 2001

SUMMARY OF BILL: Provides that when any school system employee's absence arises out of workplace violence, such employee shall be entitled to full pay without forfeiture of accumulated sick leave or other leave provided by the school system. Local education agencies (LEAs) would be required to reimburse employees for reasonable out-of-pocket expenses associated with the incident, including fees or costs associated with filing any court action against the perpetrator(s) and the replacement cost of personal property damaged or destroyed while the employee was acting within the scope of his or her employment.

Under present law, a teacher who is absent from work due to a violent act committed against them in the course of their duties, is entitled benefits of 66 and 2/3 percent of average weekly income for up to one year. A leave of absence caused by a violent act is not chargeable to the teacher's sick, personal, or professional leave.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures* - Exceeds \$100,000

Such increase in local government expenditures would be dependent upon the number of teachers or school system employees who are victims of violent acts in a year, the number of days the teacher or school employee is absent as a result of the incident, the cost of a substitute for an absent teacher, the cost of legal fees for filing court actions, and the cost of reimbursement for personal property destroyed as a result of the violent act.

For information purposes, there were 282 batteries against a teacher or school employee in 1999-00.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is written in a cursive style with a large, stylized initial "J".

James A. Davenport, Executive Director